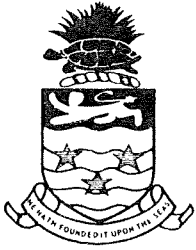


CAYMAN ISLANDS



Supplement No. 2 published with Gazette No. 16 of 1976.

THE ANIMALS LAW
(Law 8 of 1976)

Date of operation:
Notice of non-allowance published in Gazette of 197 .

MEMORANDUM OF OBJECTS AND REASONS

Much of the law relating to animals has become out of date and instead of making piecemeal amendments it has been thought better to restate it in the form of one consolidated law.

THE ANIMALS LAW
Arrangement of Sections

Section

PART I — Introductory

1. Short title and commencement
2. Interpretation

PART II — The import and export of animals

3. Restriction on importation of animals
4. Import of certain animals from certain areas prohibited
5. No live animal or biological product to be imported save under licence
6. Responsibility of masters of vessels and agents
7. Animals unlawfully imported
8. Import of dung etc. prohibited
9. Application for licence to import an animal, etc.
10. C.A.V.O. may grant or refuse licence
11. Governor may make Regulations
12. Governor may grant exemptions
13. Penal
14. Powers of constables

PART III — Control of diseases of animals

15. Persons to report cases of notifiable diseases
16. Right of access by C.A.V.O. to diseased animals
17. Standstill orders
18. Destruction of infected animals etc. and compensation
19. Governor may make Regulations
20. Penal

PART IV — The improvement of livestock

21. Governor may make Regulations for the improvement of livestock
22. Importation of semen prohibited except under licence
23. Offences

PART V — The licensing of animals

24. Persons keeping dogs to take out annual licences
25. Free licences in cases of guide dogs for the blind
26. Identity of person keeping dog
27. Wearing a collar
28. Dog found without collar
29. Penal
30. Regulations

PART VI — Nuisances by and control of animals

31. Responsibility for trespass by livestock
32. Exception in respect of land abutting on a public road
33. Liability for allowing trespass by livestock
34. Penalty for allowing livestock to cause danger
35. Swine not to be kept in specified towns

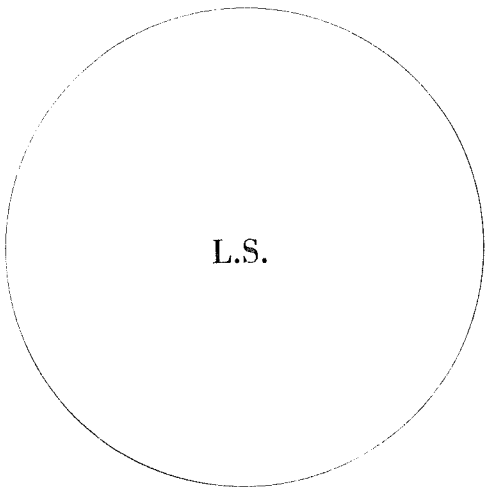
36. Power of constable to take swine into possession
37. Civil liability of dog owners
38. Dangerous dogs not under control
39. Ferocious dogs
40. Stray dogs
41. Disposal of seized dogs
42. Finders of stray dogs
43. Establishment of pounds and appointment of pound keepers
44. Poundkeepers to give notice to owner of impounded animal
45. Poundkeeper to supply food and water
46. Pound fees to be paid by owner prior to recovery of an animal
47. Poundkeeper to keep records
48. Entire animals to be kept separately
49. Fees to be accounted for
50. Impounding
51. Distrainer entitled to seizure fee
52. Distrainer to care for animals during detention by him
53. Enticing animal to trespass is an offence
54. Rescuing is an offence
55. Owner's right to distrained animal
56. Sale of unclaimed impounded animals
57. Regulations

PART VII — The protection of animals and wild life

58. Cruelty to animals an offence
59. Bull-baiting etc.
60. Causing avoidable pain or suffering to any animal
61. Using or employing animals brought to be destroyed
62. Causing unnecessary suffering in killing an animal
63. Docking or nicking the tail of any horse etc.
64. Destruction of injured animals
65. Penal (sections 58—63)
66. Hunting protected animals
67. Hunting game birds
68. Protected animals
69. Game birds
70. Animal sanctuaries
71. Hunting etc. in animal sanctuary prohibited
72. Appointment of game wardens
73. Powers and immunities etc. of game wardens
74. Regulations
75. Power to search
76. Jurisdiction over offences committed at sea
77. Power to exempt from the provisions of the Law
78. Forfeiture of things seized
79. Penal

PART VIII — General

80. Regulations
81. Penal
82. Repeals
83. Saving



Law 8 of 1976.

I assent

T. RUSSELL

Governor

15th July, 1976

A Law to restate and consolidate the law relating to the import, export, control, licensing and improvement of animals and the protection of animals and wild life.

ENACTED by the Legislature of the Cayman Islands.

PART I—Introductory

Short title and commencement.

1. This Law may be cited as the Animals Law and shall come into operation on a day to be appointed by the Governor by publication in the Gazette.

Interpretation.

2. In this Law unless the context otherwise requires —

“animal” includes live mammals, reptiles (other than turtles), amphibians, birds and insects;

“biological product” means any product derived from a living organism and used for the treatment or diagnosis of animal disease and shall include sera, vaccines, antigens, hormones and semen;

“captive animal” means any animal not being a domestic species of animal which is in captivity or confined or otherwise reduced into possession of control;

“carcass” means the body of any animal and includes any part thereof whether processed or fresh;

“cattle” includes bulls, cows, oxen, heifers and calves;

“C.A.V.O.” means the Chief Agricultural and Veterinary Officer and any person acting under his direction;

“Cayman waters” means all the water surrounding the Islands within a distance of three nautical miles from the sea-shore, inland waters and the

North Sound of Grand Cayman;

“close season” with respect to any animal or class of animals means the season of the year prescribed by Regulation when such animals are not to be taken or hunted;

“Crown Land” means land vested in the Governor and not leased to any person;

“distrainer” means the owner of any land trespassed upon by any cattle, sheep, goat or pig, who seizes and detains such animal and includes any person acting under the authority of such owner;

“domestic animal” means any animal which is naturally tame or is tamed or in the process of being tamed for serving some purpose for the use of mankind;

“game animal” means any animal specified as such by section 69;

“game warden” means any person appointed to be such under section 72;

“horses” includes mules, hinnies and asses;

“hunt” means to kill, capture, pursue or wilfully molest by any method or agent any animal and includes any attempt so to do;

“livestock” means any domestic animal kept for profit;

“master” in relation to a vessel includes the pilot of an aircraft or hovercraft;

“notifiable disease” means African horse sickness, African swine fever, anaplasmosis, anthrax, avian leukosis complex, babesiasis, blue tongue, brucellosis, contagious bovine pleuro-pneumonia, cow pox (variola vaccina), epizootic abortion, epizootic lymphangitis, equine encephalitis (groups A and B), equine infectious anaemia, foot and mouth disease, fowl cholera, fowl pest (*Salmonella pullorum* and *gillinarum* infections), glanders, haemorrhagic septicemia, infectious laryngotracheitis, Johne’s disease, leptospirosis, melioidosis, psittacosis, rabies, rinderpest, sarcoptic mange of horse, sheep pox (variola ovina), sheep scab (psoroptic mange of sheep), swine erysipelas, swine fever, theileriasis, trichomoniasis, trypanosomiasis (including dourine, mal de caderas, surrah, and *Trypanosoma vivax* infections), tuberculosis, tularemia, vesicular stomatitis, vibriosis, and such other diseases as the Governor in Council may from time to time by order made under section 19 declare to be a notifiable disease within the meaning of this Law;

“owner” of an animal includes any person for the time being having control of such animal and the occupant of any dwelling place or farm where such animal is kept;

“prescribed” means prescribed by this Law or any Regulation;

“protected animal” means every animal specified as such by section 68;

“sanctuary” means an animal sanctuary established by section 70 or by regulation;

“sell” includes to offer or expose for sale;

“specified town” means any town specified by the Governor in Council, to be such for the purpose of section 35;

“take” means to take or capture any animal from its natural habitat and “taking” and other cognate expressions shall be construed accordingly;

“vessel” includes ship, boat, carriage, aircraft and hovercraft.

PART II — The import and export of animals

- | | |
|---|---|
| Restriction on importation of animals. | 3. No animal of any description may be imported directly or indirectly into the Islands from any country outside the Islands or from any one Island into any other otherwise than in accordance with the provisions of this Law. |
| Import of certain animals from certain areas prohibited. | 4. Save as specifically permitted by this Law no animal of any description may be imported into the Islands from any country in Asia, Africa or Central and South America. |
| No live animal or biological product to be imported save under licence. | 5. (1) No animal or carcass other than fish caught directly from the sea may be imported into the Islands save by way of George Town seaport or Owen Roberts Airport and Ports of Entry in the Lesser Islands under licence from the C.A.V.O.

(2) No biological product may be imported save under licence from the C.A.V.O. |
| Responsibility of masters of vessels and agents. | 6. (1) No master or agent of any vessel shall permit any animal to be accepted for consignment to the Islands unless satisfied that an import licence in respect of such animal has been issued under this Law.

(2) No master or agent of any vessel shall permit any animal to be disembarked from such vessel on arrival at the Islands until such animal has been inspected by the C.A.V.O. |
| Animals unlawfully imported. | 7. Any animal, biological product or carcass brought into the Islands in contravention of this Law may be ordered to be destroyed or otherwise dealt with as the C.A.V.O. may in his discretion decide. |
| Import of dung etc. prohibited. | 8. No dung, litter, used animal bedding, blankets, pads, dressings or clothing shall be imported into the Islands, save as may be incidental to the licensed import of an animal. |
| Application for licence to import an animal, etc. | 9. Application for licence to import an animal, biological product, or the carcass of any animal may be made in writing to the C.A.V.O. giving particulars of the animal and of its present whereabouts and the means of transport by which it is proposed to be imported. |
| C.A.V.O. may grant or refuse licence. | 10. On the receipt of an application for a licence to import any animal, carcass, or biological products the C.A.V.O. may reject the application and notify the applicant accordingly or, on payment by the applicant of the prescribed fee, issue a licence in the prescribed form subject to such conditions, including quarantine conditions, as he may consider desirable. |
| Governor may make Regulations. | 11. The Governor in Council may make Regulations for prohibiting, restricting and generally regulating the import or export of animals, carcasses, and biological products generally and of specific animals, prescribing forms of |

licences and prescribing fees payable on the issue of such licences.

Governor may grant exemptions.

12. The Governor in Council may at his discretion grant exemption from the provisions of section 4 in any particular case.

Penal.

13. Any person contravening any provision of this Part or of any Regulation made hereunder is guilty of an offence and punishable on summary conviction with imprisonment for a term not exceeding six months or with a fine not exceeding \$500 or both.

Powers of constables.

14. Any constable having reasonable cause to suspect that any animal which has been imported into the Islands contrary to the provisions of this Law is being held or concealed in or on any premises may on obtaining a search warrant for this purpose at all reasonable times enter and search such premises and take possession of such animal and, pending the outcome of any legal proceedings, dispose of such animal according to the directions of the C.A.V.O.

PART III — Control of diseases of animals

Persons to report cases of notifiable diseases.

15. Every person owning or having in his control any animal which he has reason to believe is or has recently been affected by a notifiable disease shall report the same to the nearest Police Station as soon as practicable.

Right of access by C.A.V.O. to diseased animals.

16. Where the C.A.V.O. has reason to believe that any animal affected by or having been exposed to disease is present on or in any holding, farm, apiary or other premises he may at any reasonable time enter and inspect such animal.

Standstill orders.

17. (1) Where the C.A.V.O. is of the opinion that any given area is threatened with the spread of any notifiable animal disease he may issue a standstill order controlling the movements of persons and animals into out of and within the said area. Such order shall be valid for three days after the day of publication and may thereafter be renewed by the Governor for such further period as to the Governor may appear desirable.

(2) Where an order under subsection (1) is in force the C.A.V.O. may require such disinfective and disease control measures to be carried out as may be calculated to limit the spread of the disease.

Destruction of infected animals etc. and compensation.

18. Animals found to be suffering from any notifiable disease shall be destroyed without compensation to the owners and where animals have, in the opinion of the C.A.V.O., been exposed to a notifiable disease he may order their destruction and, in the latter case, compensation shall be paid to the owners at the market value as assessed by the C.A.V.O. Any person aggrieved by any decision as to market value arrived at by the C.A.V.O. may within ten days appeal to the Governor in Council whose decision shall be final.

Governor may make Regulations.

19. The Governor in Council may make regulations varying the list of notifiable diseases and generally for the detection and control of disease in animals.

Penal.

20. Whoever fails to obey any provision of a standstill order or obstructs the C.A.V.O. in carrying out his duties under this Part or otherwise contravenes any provision of this Part or any Regulation is guilty of an offence and, on summary conviction is punishable with a term of imprisonment not exceeding six months or to a fine not exceeding \$500 or both.

PART IV — The improvement of livestock

Governor may

21. The Governor in Council may make Regulations for regulating and con-

make Regulations for the improvement of livestock.

trolling the husbandry, breeding and slaughter of livestock and bringing about the improvement thereof. Such Regulations may include provision for:—

- (a) the establishment of artificial insemination stations and the regulation of the same;
- (b) the inspection and licensing of sires;
- (c) the establishment and maintenance of livestock registers;
- (d) the castration of scrub animals;
- (e) the importation and manufacture of feed and medicines;
- (f) the housing and care of livestock;
- (g) the improvement of pasture;
- (h) the purchase and importation of semen;
- (i) the culling of animals having an excess population;
- (j) the slaughter and dressing of carcasses and the inspection and supervision of slaughterhouses and slaughtermen; and
- (k) fees to be charged for services rendered by the Department of Agriculture.

Importation of semen prohibited except under licence. Offences.

22. The importation of semen into the Islands otherwise than under licence from the C.A.V.O. is prohibited.

23. Whoever contravenes any provision of this Part or of any Regulation or who obstructs the C.A.V.O. in carrying out his duties hereunder is guilty of an offence.

PART V — The licensing of animals

Persons keeping dogs to take out annual licences.

24. (1) Every person who keeps a dog of whatever description above the age of six months shall take out an animal licence in respect thereof which shall remain in force from the time it is taken out until the last day of the month of January following.

(2) Subject to section 25 the fee payable on a dog licence is \$2.

Free licences in cases of guide dogs for the blind.

25. A licence shall be issued without payment in respect of a dog kept and used solely by a blind person for his guidance.

Identity of person keeping dog.

26. Every person in whose custody, charge or possession or in whose house any dog is found or seen is deemed to be the person who keeps such dog unless the contrary is proved.

Wearing a collar.

27. Every person keeping a dog is responsible to see that such dog while in any highway or place of public resort shall wear a collar with a tag bearing its licence number attached thereto.

Dog found without a collar.

28. Any dog found in any highway or place of public resort and being apparently over the age of six months not wearing a collar as prescribed shall be treated as a stray.

Penal.

29. Whoever keeps a dog over the age of six months without taking out a licence in respect of the same and every person permitting such a dog to be in a highway or place of public resort without a collar as prescribed is guilty of an offence and is punishable on summary conviction with a fine not exceeding \$20.

Regulations

30. The Governor may make Regulations prescribing the form of licence required under this Law and the form of identification tag to be issued to per-

sons who have taken such licences.

PART VI — Nuisances by and control of animals

Responsibility for trespass by livestock.

31. It is the responsibility of the owner of any livestock other than dogs, cats and honey bees to take proper and effective measures to prevent such livestock from trespassing on to the land of other persons or on to any road or place normally used by the public for the passage of vehicular traffic and, subject to the provisions of this Law, such owner shall be responsible in damages for any injury done by such livestock in so trespassing.

Exception in respect of land abutting on a public road.

32. (1) No person in occupation of land abutting on a public road shall be entitled to recover any damages in respect of any trespass on such land by any livestock while the same are being driven lawfully on such road, under proper care and control, unless such land is secured by a fence along such road sufficient to keep out ordinary livestock of the class of animals committing the trespass.

(2) The onus of showing that any livestock were being so driven as aforesaid shall be on the owner of the livestock.

Liability for allowing the trespass of livestock.

33. Any person who leaves open any properly constructed gate in working order or injures any fence or other contrivance provided for the purpose of confining any livestock, thereby allowing such livestock to trespass off the land on which the same is confined shall be liable for all consequential damage caused by the trespassing of such livestock.

Penalty for allowing livestock to cause danger.

34. Whoever, whether or not he is the owner of any livestock, wilfully permits any livestock to wander in any public place where the presence of such livestock may cause a danger to the public is, in addition to any civil liability he may incur, guilty of an offence and punishable on summary conviction with a fine not exceeding \$100.

Swine not to be kept in specified towns.

35. It is unlawful to keep swine in any specified town and any swine being found kept in any specified town are liable to be forfeited and destroyed at the direction of the C.A.V.O. who shall arrange for the disposal of such swine or the carcasses thereof at his discretion.

Power of constables to take swine into possession.

36. Any constable may upon view take up any swine which he shall find in any specified town and may enter any building in any such town where he has reasonable cause to believe that swine are being kept and take and seize any swine there found.

Civil liability of dog owners.

37. The owner of every dog shall be liable in damages for injuries done to any person, or any cattle or sheep by his dog, and it shall not be necessary for the party seeking such damages to show a previous mischievous propensity in the dog, or the owner's knowledge of such propensity or that the injury was attributable to neglect on the part of such owner. Such damages shall be recoverable in any court of competent jurisdiction.

Dangerous dogs not under control

38. (1) Any court of summary jurisdiction may order that a dog which appears to be dangerous and not kept under proper control either

- (a) be kept under proper control by its owner; or alternatively
- (b) be handed over to the Department of Agriculture to be destroyed.

(2) Any person who obstructs any officer of the court so that such officer is prevented from carrying out an order of the court made under sub-paragraph (b) of subsection (1) shall pay a fine of \$4 in respect of each day the carrying out

of the order remains in abeyance through his default.

Ferocious dogs. 39. Any person who suffers any ferocious dog to be at large or who sets on or urges any dog to attack, worry or put in fear any person or domestic or protected animal is guilty of an offence and is punishable on summary conviction with a fine not exceeding \$500 or to imprisonment for a term not exceeding six months or both.

Stray dogs. 40. A constable may seize and detain any dog found in a highway or place of public resort which he has reason to believe is a stray and if the owner can be traced shall give notice of seizure to the said owner to whom the dog shall be restored upon such owner paying all expenses incurred by its detention.

Disposal of seized dogs. 41. Dogs seized under section 40 shall be retained at the police station or in a dog pound for a period of seven days if unclaimed by the owner, after which they may be sold or handed over to the Department of Agriculture for destruction. The proceeds of sale of stray dogs shall be appropriated to the expenses of the maintenance of the dog pound.

Finders of stray dogs. 42. Any person finding a stray dog may take possession of the same and shall within twenty-four hours report the matter to the nearest police station whereafter he may, at his option —

- (a) retain the dog in his possession; or
- (b) hand the dog over to the police.

If the finder retains the dog in his possession he shall hand the dog over to any person who can show himself to be the owner thereof and makes claim thereto within fifteen days. If the finder hands the dog over to the police the dog shall be dealt with as if it had been found and seized by a constable.

Establishment of pounds and appointment of poundkeepers. 43. The Governor in Council may establish pounds in the Islands and appoint poundkeepers in respect of each pound and all persons who are poundkeepers at the date of coming into operation of this Law shall continue as such under this Law subject to dismissal by the Governor in Council without notice.

Poundkeepers to give notice to owner of impounded animal. 44. When an animal is impounded, the poundkeeper, if he knows the owner, shall serve notice in writing on him, and for so doing shall be entitled to the prescribed fee in that behalf.

Poundkeeper to supply food and water. 45. The poundkeeper shall supply every impounded animal with food and water on the following scale —

- (a) cattle 20 lbs. of grass and 5 gallons of water daily;
- (b) sheep and goats 6 lbs. of grass and 5 gallons of water daily;
- (c) other animals according to the rules of good animal husbandry.

The above quantities shall be divided into morning and evening feeds and waterings, there being an interval of not less than eight hours between morning and evening feeds and waterings.

Pound fees to be paid by owner prior to recovery of an animal. 46. Before delivering any impounded animal to its owners, the poundkeeper shall demand and receive the fee prescribed for that animal's maintenance while impounded.

Poundkeeper to keep records. 47. The poundkeeper shall keep a written record of all animals impounded, stating the name and address of the distrainer or finder, the place, date and time when the animal was found, the date and time when it was impounded and

	description of the animal and such record shall be open for the inspection of the public at all reasonable times.
Entire animals to be kept separately.	48. Entire animals which are impounded shall be kept separately from other impounded animals.
Fees to be accounted for.	49. Poundkeepers shall account to the Treasury for fees received in such manner as may be prescribed and shall, by way of remuneration, receive such proportion of such fees as may from time to time be prescribed.
Impounding.	50. The lawful occupier of any land may seize any animal trespassing thereon and may impound the same as the distrainer thereof. The distrainer shall with all reasonable dispatch convey the same to the nearest pound and the poundkeeper shall at any time between 6 a.m. and 6 p.m. receive the said animal into the pound.
Distrainer entitled to seizure fee.	51. The distrainer shall be entitled to receive a seizure fee in accordance with the prescribed scale, either — (a) from the owner of the animal if tendered before the delivery thereof to the poundkeeper; or (b) from the poundkeeper after receipt by him of the fee.
Distrainer to care for animals during detention by him.	52. A distrainer shall properly water, feed and care for any animal while it is detained by him and shall be liable in damages for any neglect of such animal. Where such animal appears to be suffering from any notifiable disease, the distrainer shall report the matter to the nearest police station without delay.
Enticing animal to trespass is an offence.	53. Any person who drives, leads or entices any animal into any place with intent to impound or procure the impounding of the same is guilty of an offence.
Rescuing is an offence.	54. Every person who rescues or attempts to rescue any animal seized or impounded under this Law is guilty of an offence.
Owner's right to distrained animal.	55. The owner of any animal distrained, on payment of the prescribed fee before any animal is sold under section 56, is entitled to recover such animal.
Sale of unclaimed impounded animals.	56. (1) Where any animal has been impounded for seven days and upwards and no person has claimed the same under section 55, the poundkeeper shall put up the same for sale by public auction and shall sell and deliver the same to the best bidder for ready money after having received the price thereof and, if the price is not paid, he may again put up the animal for sale. (2) Public notice of every sale under this section shall be given by publication in the Gazette at least three clear days before the day of the sale. (3) It shall not be lawful for the poundkeeper to purchase any animal sold as aforesaid. (4) The proceeds of sale shall be paid to the Treasury for the account of the general revenue. (5) Notwithstanding any irregularity prior to the sale, the purchaser at such sale shall have good and valid title against all comers.
Regulations.	57. The Governor in Council may make Regulations prescribing fees payable

from time to time under this Law, designating specified towns and generally for the implementation of this Law.

PART VII — The protection of animals and wild life

Cruelty to animals
an offence.

58. Whoever —

- (a) cruelly beats, ill-treats, starves, over-drives, over-rides, over-loads, tortures, unlawfully provokes or otherwise maltreats any animal;
- (b) works, or causes to be worked, any domestic animal in such a condition as to be unfit for work whether from emaciation, or from any gall, sore or otherwise, and whether or not that condition is caused by disease or deficient feeding;
- (c) by wilful neglect, causes any injury or suffering to any animal; or
- (d) secures or causes to be secured the tongue of any animal in such a manner as to cause unnecessary pain or suffering to any such animal,

is guilty of an offence.

Bull-baiting, etc.

59. Whoever —

- (a) in any manner encourages, aids, assists, at the fighting or baiting of any bull, dog, cock or any other kind of animal;
- (b) keeps, or uses, or acts in the management of any such animal as aforesaid; or
- (c) being the owner or occupier of any place or premises, permits such place or premises to be used for the purpose of fighting or baiting any such animal as aforesaid; or
- (d) receives money for the admission of any person to any place or premises kept or used for the purpose of fighting or baiting of any such animal

is guilty of an offence.

Causing avoidable
pain or suffering to
any animal.

60. Whoever conveys, carries or places in or upon any cart or vehicle, or upon any vessel or boat any animal in such a manner or position as to subject that animal to avoidable or unnecessary pain or suffering, is guilty of an offence.

Using or employing
animals brought to
be destroyed.

61. Whoever uses or employs, or permits to be used or employed, in any manner of work, any animal brought or delivered to him for the purpose of being destroyed, and whoever is found employing or using such an animal, is guilty of an offence.

Causing un-
necessary suffering
in killing an animal.

62. Whoever in killing any animal, wilfully, or carelessly causes unnecessary suffering to such animal, is guilty of an offence.

Docking or nicking
the tail of any horse,
etc.

63. Whoever wilfully docks or nicks the tail of any horse, mule, hinny or similar animal, is guilty of an offence.

Destruction of in-
jured animals.

64. (1) Where any offence appears to have been committed under sections 58 to 61 it shall be lawful for the C.A.V.O. or any constable to seize and take before a court the animal in relation to which the offence is alleged to have been committed, whether or not any person alleged to have committed the offence is held in custody and the court may make such order as to the care or disposal of the animal as may be deemed to be appropriate including an order for the destruction of the animal.

(2) Where an order has been made for the destruction of an animal under

subsection (1), no compensation shall be payable to the owner of the animal.

(3) Where any constable finds any animal so severely injured or in such state of health that it cannot without undue suffering be moved he may (with the consent of the owner if the animal is a domestic animal) destroy the said animal or cause it to be destroyed.

(4) Where for the purpose of subsection (3) the owner cannot be found or refuses his consent, the constable may act on the certificate of a medical officer, a veterinary officer, the C.A.V.O. or a Justice of the Peace.

Penal (sections 58—63).

65. (1) Whoever is guilty of an offence contrary to sections 58—63 is liable on summary conviction to a fine not exceeding \$500 or to a term of imprisonment not exceeding six months or both.

(2) Where any person is convicted under subsection (1) he may, in addition to the penalties prescribed therein, be ordered to pay the expenses incurred in the care, maintenance, destruction and removal of the animal or the carcass thereof.

Hunting protected animals.

66. Whoever —

- (a) hunts any protected animal;
 - (b) has in his possession any protected animal or any part thereof; or
 - (c) takes or has in his possession the nest or egg of any protected animal
- is guilty of an offence.

Hunting game birds.

67. Whoever, during any close season —

- (a) hunts any game bird; or
 - (b) has in his possession, buys or sells any game bird unless such bird was taken outside the close season (proof of which is upon the person so asserting)
- is guilty of an offence.

Protected animals.

68. Iguanas and all non-domestic birds other than game birds are protected animals.

Game birds.

69. The following are game birds —

peadove,	coot,
whitewing,	snipe,
baldpate,	migratory ducks,
white belly,	plover or lapwing and
ringtail pigeon,	parrots

Animal sanctuaries

70. The following areas are animal sanctuaries:

MEAGRE BAY POND

The pond is located on the 1/25,000 Grand Cayman Map Sheet 2, compiled in 1965 by the Directorate of Overseas Surveys, London, from air photography flown by the Photographic Survey Corporation Ltd., 1958. On the map sheet the Meagre Bay Pond lies within the grid square which has the reference 475000ME and 2133000MW. The limits of the pond are defined by a line measured 300 feet inland from the high water mark of the pond, which will follow the Western,

Northern and Eastern sides of the pond. The Southern limit is defined by the public road which runs from Bodden Town east to the Breakers.

COLLIERS BAY POND

The pond is located on the map aforesaid. It lies within the grid squares 490000ME, 2137000MN and also 490000ME and 213800MN. The limits of the pond are defined by a line measured 300 feet inland from the high water mark of the pond which will follow the Southern, Western and Northern sides of the pond. The Eastern limit is defined by the public road running from Gun Bay Village north to the Tortuga Club.

Hunting etc. in animal sanctuary prohibited.

71. (1) Whoever in a sanctuary
- (a) hunts any animal; or
 - (b) is found under circumstances showing that he was hunting any animal or intending to take any nest or egg; or
 - (c) takes any nest or egg; or
 - (d) is accompanied by any dog; or
 - (e) carries any gun, catapult or other weapon capable of being used to hunt animals; or
 - (f) deposits any litter; or
 - (g) disturbs any natural feature or any vegetable or animal life

is guilty of an offence.

(2) Any person found in a sanctuary in possession of any animal, nest or egg shall be deemed to have hunted such animal or taken such nest or egg unless the contrary is proved.

Appointment of game wardens.

72. The Governor in Council may appoint game wardens for carrying out the provisions of this Law who shall hold office at his pleasure.

Powers and immunities etc. of game wardens.

73. Game wardens for the purpose of performing their duties under this Law have all the rights and immunities of constables acting generally in the ordinary course of their duty and every constable shall for the purpose of enforcing any provision of this Law have all the powers of a game warden.

Regulations.

74. The Governor in Council may make Regulations for the better carrying out of the provisions of this Part and in particular may—

- (a) alter or amend and prescribe new sanctuaries;
- (b) alter the categories of protected animals, game animals and prescribe and amend close seasons for the hunting or taking thereof;
- (c) make provision for the stocking of any areas with animals of various categories;
- (d) control generally or in respect of any specified areas the methods which may be employed in taking or hunting animals;
- (e) restrict or impose conditions in respect of the keeping of animals in captivity.
- (f) limit the number of game animals which may be taken by any one person in any one day;
- (g) require persons to render returns containing such information as may be prescribed;
- (h) prescribe the form and make provision for the issue of licences and the fees therefor;
- (i) prescribe, regulate and secure the periodical treatment of all or any cattle by effective dipping or by the use of some other means of

- control and eradication of ticks either with respect to the Islands as a whole or any part thereof;
- (j) establish public dipping tanks or spray races for the purpose of tick eradication, provide for the servicing of the same, the appointment of persons to supervise the same and prescribe fees to be charged to the users thereof;
 - (k) control the quality of animal feeding stuffs imported into the Islands or offered for sale to the public; and
 - (l) prescribe insignia and badges which may be worn or displayed exclusively by game wardens for purpose of identification.
- Power to search.** 75. Any game warden may in any public place or on any Crown lands or in any sanctuary search any person whom he may have reasonable cause to suspect of having contravened any of the provisions of this Law or any Regulation and may stop and search any vehicle, boat or other conveyance in or upon which he has cause to suspect that there is any animal in respect of which any offence against this Law or Regulation has been committed or in or upon which he has reasonable cause to suspect that there is any gun, catapult or any weapon or trap used in the commission of any such offence.
- Jurisdiction over offences committed at sea.** 76. Any offence against this Law committed at sea within three miles of the shore of any of the Islands shall be deemed to have been committed in any place adjoining such sea and may be tried and punished accordingly.
- Power to exempt from the provisions of the Law.** 77. Notwithstanding anything to the contrary contained in this Law, the Governor in Council may, by writing under his hand for purposes of conservation or for scientific, historic or educational purposes, exempt either absolutely or for such time and subject to such conditions as he may think fit, any person or institution from all or any of the provisions of this Law.
- Forfeiture of things seized.** 78. (1) Any animal or any part thereof, in respect of which there is a conviction for an offence against this Law, shall be forfeited to the Crown.
- (2) Any boat, gun, catapult or other weapon or any trap used in commission of any offence in respect of which there is a conviction may, in the discretion of the court, be forfeited to the Crown.
- Penal.** 79. Every person guilty of an offence against this Part is, upon summary conviction, liable to be punished with a fine not exceeding \$500 or to a term of imprisonment not exceeding six months or both.

PART VIII — General

- Regulations.** 80. Without prejudice to his powers to make Regulations under any part of this Law, the Governor in Council may make Regulations generally for the better implementation thereof and may from time to time prescribe fees to be charged for any service rendered to any member of the public.
- Penal.** 81. (1) Any contravention of any Regulation made under any Part of this Law is an offence against this Law and punishable accordingly.
- (2) Where no punishment is specifically prescribed any person who contravenes this Law or any Regulation is guilty of an offence and liable on sum-

mary conviction to a fine not exceeding \$250 or to a term of imprisonment not exceeding three months or both.

Repeals.

82. The following Laws are hereby repealed:—

- | | |
|-----------|---------------------------------------|
| Cap. 9 | (a) Bees (Protection from Diseases), |
| Cap. 30. | (b) Cruelty to Animals (Prevention), |
| Cap. 42. | (c) Dogs (Liability for Injury by), |
| Cap. 43. | (d) Dogs (Licensing and controlling), |
| Cap. 130. | (e) Pound, |
| Cap. 162. | (f) Swine (Prevention of Keeping), |
| Cap. 167. | (g) Ticks (Control and Eradication), |
| Cap. 185. | (h) Wild Life Protection. |

The following Laws are repealed in Part:—

- | | |
|-----------|---|
| Cap. 173. | (i) Trespass (Part II — Cattle Trespass), and |
| Cap. 163. | (ii) Tax Collection (sub-paragraph (b), (i), (ii), and (iii) of section 8). |

Saving.

83. Every licence granted under any law repealed by this Law shall, until the date at which it was to expire, be deemed to have been granted under this Law and every Regulation made under any law repealed by this Law shall continue in force until replaced or revoked by a provision of this Law or any Regulation made hereunder.

Passed the Legislative Assembly this 25th day of June, 1976.

T. RUSSELL
President

SYBIL McLAUGHLIN
Clerk of the Legislative Assembly

Price: \$2.
Printed by the Northwester Co. Ltd., by order of the Government of the Cayman Islands.